IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Court No.2

Civil Misc. Writ Petition No. 4288 (M/S) 2001
(Old No. 15170 of 1984)

Trilok Chand S/o Bishan Dass
R/o Mohalla Patel Nagar, Kashipur,
District-Nainital ..... Petitioner.

Versus

I Additional District Judge,
Nainital and two others
..... Respondents

.....

Hon'ble P.C.Verma,J.

Heard Sri Dharmveer, learned counsel for the petitioners as well as learned Standing Counsel for the State.

This writ petition has been filed by the petitioner seeking writ of certiorari to quash the order dated 6th June, 1984 passed by respondent No.1-I Additional District Judge, Nainital in S.C.C. Revision No. 188 of 1982, by which he has allowed the revision filed by the defendant- State of U.P.

The petitioner / plaintiff filed a S.C.C. Suit before the Judge Small Cause Court for recovery of Rs. 629.50 as typing fee from the respondent-State of U.P. on the ground that opposite party No.2 has got typed suits from the plaintiff and despite notice the defendants did not pay the said amount to the plaintiff. The trial court decreed the suit with costs against which the defendant-State of U.P. filed revision, which was allowed by the reviosional court. The learned Additional District Judge after hearing the parties at length found that the judgment of the trial court suffers from illegality and with material irregularity.

I have perused the orders passed by the courts below. I do not find any illegality and infirmity in the revisional order. The order passed by the Additional District Judge in S.C.C. Revision No. 188 of 1982 is affirmed.

The writ petition has no force and the same is dismissed. No order as to costs.

(P.C. Verma, J.)

16.10.2003

P.Singh